

COURT-I
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APPEAL NO. 289 OF 2018 &
IA NOS. 204 & 523 OF 2019

Dated : 16th October, 2019

Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. S.D. Dubey, Technical Member

In the matter of:

TANGEDCO

.... Appellant(s)

Versus

Central Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. S. Vallinayagam

Counsel for the Respondent(s) : Mr. Amit Kapur for R-2

Mr. Anup Jain
Mr. Udit Gupta for R-3

Ms. Ranjitha Ramachandran
Ms. Poorva Saigal
Ms. Anushree Bardhan
Mr. Pulkit Agarwal
Mr. Shubham Arya
Mr. Arvind Kumar Dubey for R-6

ORDER

Heard Mr. Basava Prabhu S. Patil, learned senior counsel arguing for Appellant and Mr. Sajan Poovayya, learned senior counsel arguing for second Respondent.

The reconciliation meeting proceedings is placed on record. So far as errors pertaining to change in law, now the reconciled figure is Rs.14,01,28,107 (80% of the bills raised pertaining to change in law in

terms of the impugned order). The said amount shall be paid within two weeks from today.

Learned senior counsel for 2nd Respondent, Mr. Sajan Poovayya brought to our notice the Order dated 30.09.2019 wherein we directed the Appellant to pay arrears of regular electricity charges which were shown in the bills raised and not paid from February 2019 till July 2019, which amounts to Rs.252 crores excluding change in law amounts in terms of the impugned order. It is also brought to our notice that the monthly tariff amounts collected by the Appellant-DISCOM is not properly distributed and the same is paid/adjusted at the whims and fancies on account of some external pressure.

In that view of the matter, we direct the Appellant to place on record the figures pertaining to total amount of tariff which they collect every month and how the said amount is apportioned towards electricity charges payable to generators which include monthly charges as well as change in law claims. This statement must be made by way of affidavit of the Chief Financial Officer certified by the Chartered Accountant concerned and the same shall be filed within two weeks from today.

We direct 50% of the outstanding monthly bills from February 2019 till July 2019, as mentioned above, shall be paid within four weeks from today.

List the matter for further hearing on **30.10.2019**.

(S.D. Dubey)
Technical Member

tpd/mkj

(Justice Manjula Chellur)
Chairperson